

REMARKS

Applicants hereby withdraw claims 17-29 from consideration and add new claim 30.

New independent 30 recites, in part, a bone anchor comprising “at least two cutting edges defined by one or more outwardly curved surfaces.” Support for claim 30 can be found at least at page 3, lines 5-7 and in the claims of the originally filed application. Applicants submit that no new matter has been entered thereby.

Upon entry of this paper, independent claim 30 will be pending.

The Office action mailed from the U.S. Patent and Trademark Office on September 9, 2003 indicates that the Applicants’ previous Amendment and Response was non-responsive, because the new claims were directed to an invention independent or distinct from the invention originally claimed, *i.e.*, a bone anchor. In response thereto, Applicants have added new claim 30 directed to a bone anchor similar to the bone anchor claimed in original claim 10.

Furthermore, Applicants believe that new claim 30, which recites, in part, a bone anchor comprising “at least two cutting edges defined by one or more outwardly curved surfaces” is patentable.

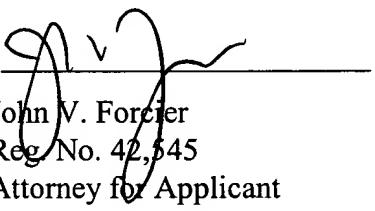
CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and allowance of claim 30 in due course. The Examiner is invited to contact Applicants' undersigned representative by telephone at the number listed below to discuss any outstanding issues.

Respectfully submitted,

Date: November 12, 2003

Testa, Hurwitz & Thibeault, LLP
125 High Street
Boston, MA 02110
Tel. No. (617) 248-7675


John V. Forcier
Reg. No. 42,545
Attorney for Applicant

2707025_1